

CLOSED,PROSE-PR,TYPE I-FOIA

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:12-cv-00653-RMC**

DUNSTON v. DRUG ENFORCEMENT ADMINISTRATION  
et al  
Assigned to: Judge Rosemary M. Collyer  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/25/2012  
Date Terminated: 02/01/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****RODERICK DUNSTON**

represented by **RODERICK DUNSTON**  
R26871-018  
COLEMAN I  
U.S. PENITENTIARY  
Inmate Mail/Parcels  
P.O. BOX 1033  
COLEMAN, FL 33521  
PRO SE

V.

**Defendant**

**DRUG ENFORCEMENT  
ADMINISTRATION**  
(DEA)

represented by **Jeffrey Earl Warner**  
U.S. ATTORNEY'S OFFICE  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 514-7139  
Email: [jeffrey.warner@usdoj.gov](mailto:jeffrey.warner@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Emily Kathryn Tyler**  
U. S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
Civil Division  
555 4th Street, NW  
Washington, DC 20530  
(202) 514-7139  
Fax: (202) 514-8780  
Email: [Emily.Tyler@usdoj.gov](mailto:Emily.Tyler@usdoj.gov)  
**TERMINATED: 10/04/2012**

**Defendant**

**EXECUTIVE OFFICE FOR THE  
UNITED STATES ATTORNEYS**  
(EOUSA)

represented by **Jeffrey Earl Warner**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Emily Kathryn Tyler**  
(See above for address)  
**TERMINATED: 10/04/2012**

Date Filed	#	Docket Text
04/25/2012	<u>1</u>	COMPLAINT against DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Filing fee \$ 0.00) filed by RODERICK DUNSTON. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj)

		(Entered: 04/26/2012)
04/25/2012		SUMMONS (4) Issued as to DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 04/26/2012)
04/25/2012	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by RODERICK DUNSTON (rdj) (Entered: 04/26/2012)
04/25/2012	<u>3</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by RODERICK DUNSTON (rdj) (Entered: 04/26/2012)
04/25/2012	<u>4</u>	ORDER directing an initial partial filing fee in the amount of \$18.69 be made from Prison Account of RODERICK DUNSTON ; further ordered, granting <u>2</u> MOTION for Leave to Proceed in forma pauperis (See Order for full details). Signed by Judge Colleen Kollar-Kotelly on 4/19/2012. (rdj) (Entered: 04/26/2012)
05/07/2012	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/4/2012. (rdj) (Entered: 05/08/2012)
05/24/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS served on 5/23/2012 (rdj) (Entered: 05/25/2012)
05/29/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/23/2012. Answer due for ALL FEDERAL DEFENDANTS by 6/22/2012. (rdj) (Entered: 05/30/2012)
05/30/2012	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DRUG ENFORCEMENT ADMINISTRATION served on 5/11/2012 (rdj) (Entered: 05/31/2012)
06/13/2012	<u>9</u>	NOTICE of Appearance by Emily Kathryn Tyler on behalf of DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Tyler, Emily) (Entered: 06/13/2012)
06/19/2012	<u>10</u>	MOTION for Extension of Time to File Answer by DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 06/19/2012)
06/21/2012		MINUTE ORDER granting <u>10</u> Defendants' Motion for Extension of Time to Answer. Defendants shall answer or otherwise respond to the Complaint no later than July 23, 2012. Signed by Judge Rosemary M. Collyer on 6/21/2012. (lcrmc1) (Entered: 06/21/2012)
06/21/2012		Set/Reset Deadlines/Hearings: Answer to Complaint due by 7/23/2012. (cdw) (Entered: 06/22/2012)
07/17/2012	<u>11</u>	MOTION for Extension of Time to File Answer by DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 07/17/2012)
07/20/2012		MINUTE ORDER granting <u>11</u> Defendants' Motion for Extension of Time to Answer. Defendants shall answer or otherwise respond to the Complaint no later than August 22, 2012. No further extensions of time will be granted. Signed by Judge Rosemary M. Collyer on 7/20/2012. (lcrmc1) (Entered: 07/20/2012)
07/20/2012		Set/Reset Deadlines/Hearings: Answer to complaint due by 8/22/2012. (cdw) (Entered: 07/23/2012)
08/15/2012	<u>12</u>	MOTION for Extension of Time to File Answer by DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 08/15/2012)

08/15/2012	<u>13</u>	Supplemental re <u>12</u> MOTION for Extension of Time to File Answer by DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Tyler, Emily) Modified on 8/15/2012 (rdj). (Entered: 08/15/2012)
08/17/2012		MINUTE ORDER denying <u>12</u> Motion for Extension of Time to Answer. Defendants shall answer or otherwise respond to the Complaint no later than August 22, 2012. Signed by Judge Rosemary M. Collyer on 8/17/2012. (lcrmc1) (Entered: 08/17/2012)
08/17/2012		Set/Reset Deadlines/Hearings: Answer to complaint due by 8/22/2012. (cdw) (Entered: 08/17/2012)
08/22/2012	<u>14</u>	ANSWER to <u>1</u> Complaint by DRUG ENFORCEMENT ADMINISTRATION, EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS.(Tyler, Emily) (Entered: 08/22/2012)
08/22/2012	<u>15</u>	MOTION for Summary Judgment by EXECUTIVE OFFICE FOR THE UNITED STATES ATTORNEYS (Attachments: # <u>1</u> Luczynski Declaration)(Tyler, Emily) (Entered: 08/22/2012)
08/24/2012	<u>16</u>	ORDER advising Plaintiff to respond to <u>15</u> Defendant Executive Office for the United States Attornyes' Motion for Summary Judgment no later than October 5, 2012. If Plaintiff does not respond by that date, the Court will treat the motion as conceded and may summarily dismiss the case. Signed by Judge Rosemary M. Collyer on 8/24/2012. (lcrmc3) (Entered: 08/24/2012)
08/24/2012		Set/Reset Deadlines/Hearings: Response to Dispositive Motions due by 10/5/2012. (cdw) (Entered: 08/24/2012)
08/30/2012	<u>17</u>	MOTION for Briefing Schedule by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order)(Tyler, Emily) (Entered: 08/30/2012)
09/12/2012		MINUTE ORDER granting in part <u>17</u> Defendant Drug Enforcement Administration's Motion for Briefing Schedule. Defendant Drug Enforcement Administration shall file a dispositive motion no later than September 28, 2012; Plaintiff shall respond no later than November 9, 2012; Defendant may file a reply no later than November 23, 2012. Signed by Judge Rosemary M. Collyer on 9/12/2012. (lcrmc1) (Entered: 09/12/2012)
09/14/2012	<u>18</u>	MOTION for Summary Judgment by DRUG ENFORCEMENT ADMINISTRATION (Attachments: # <u>1</u> Little Declaration)(Tyler, Emily) (Entered: 09/14/2012)
09/21/2012	<u>19</u>	ORDER advising Plaintiff to respond to <u>19</u> Defendant Drug Enforcement Administration's Motion for Summary Judgment no later than November 9, 2012. If Plaintiff does not respond by that date, the Court will treat the motion as conceded and may summarily dismiss the case. Signed by Judge Rosemary M. Collyer on 9/21/2012. (lcrmc1) (Entered: 09/21/2012)
09/21/2012		Set/Reset Deadlines/Hearings: Response to Motion <u>18</u> for Summary Judgment due by 11/9/2012. (cdw) (Entered: 09/24/2012)
10/04/2012	<u>20</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jeffrey Earl Warner on behalf of All Defendants Substituting for attorney Emily Tyler (Warner, Jeffrey) (Entered: 10/04/2012)
10/11/2012	<u>21</u>	MOTION for Extension of Time to File Response/Reply as to <u>18</u> MOTION for Summary Judgment , <u>15</u> MOTION for Summary Judgment by RODERICK DUNSTON (rdj) (Entered: 10/15/2012)
10/18/2012	<u>22</u>	ORDER granting nunc pro tunc to October 5, 2012 <u>21</u> Plaintiff's Motion for Extension of Time to File Response/Reply. Plaintiff Roderick Dunston shall respond to the <u>15</u> Executive Office for the United States' Attorneys' motion for summary judgment no later than November 5, 2012, and Mr. Dunston shall respond to the <u>18</u> Drug Enforcement Administration's motion for summary judgment no later than December 10, 2012. Signed by Judge Rosemary M. Collyer on 10/18/2012. (lcrmc1) (Entered: 10/18/2012)

10/18/2012		Set/Reset Deadlines/Hearings: Response to <u>15</u> due by 11/5/2012. Response to <u>18</u> due by 12/10/2012. (cdw) (Entered: 10/19/2012)
02/01/2013	<u>23</u>	MEMORANDUM AND OPINION. Signed by Judge Rosemary M. Collyer on 2/1/2013. (KD) (Entered: 02/01/2013)
02/01/2013	<u>24</u>	ORDER granting <u>15</u> EOUSA's Motion for Summary Judgment and granting <u>18</u> DEA's Motion for Summary Judgment. Judgment is entered for Defendants. This case is closed. Signed by Judge Rosemary M. Collyer on 2/1/2013. (KD) (Entered: 02/01/2013)